

REMARKS

In the January 27, 2003 office action, the Examiner rejected claims 7 and 9 as being anticipated (35 USC 102(b)) by Trueba (US Patent No. 5,560,837). The Examiner also rejected claim 8 as being unpatentable (35 USC 103(a)) over Trueba. The Examiner also required that a proper drawing correction or corrected drawings be submitted in response to the office action. To meet this requirement, Applicant herewith, under separate cover, submits formal drawings which include the approved changes.

These rejections are traversed. Claim 7 has been amended to incorporate the limitation found in claim 9 and claim 9 has been canceled. Claim 7 is distinct from the teachings of Trueba for at least three reasons, in one of which is believed to convey novelty to the claim.

First, claim 7 requires that a support be used that is different from a substrate which is to be modified by the supported mask. In the office action, the Examiner correlates the claimed "substrate" with Trueba's "workpiece". This is believed inappropriate as Trueba's workpiece is not modified by use of a mask since it starts off as nothing. It can be said that Trueba's "workpiece" is formed or created by use of a mask but not that it is modified by use of a mask. In Trueba, there is no substrate that is different from the supported mask. If Trueba has a supported mask, it is the combined structure of FIG 1G which includes, in the words of Trueba, a dielectric substrate 102, a thin film of metal 106, and patterned photoresist 110. An electroformed workpiece 118 is formed on the mask (and may be said to temporarily modify the mask) and then the mask and workpiece are separated. Even if interpreted in this manner, Trueba doesn't destroy the novelty of the claim as the claim requires the support and the substrate to be different and in this interpretation the support is the same as the substrate or is at least part of the substrate. In conclusion, Trueba may be interpreted as either (1) not having a substrate or (2) as having a substrate that is the same as the support. In either case, Trueba doesn't teach at least this one feature of claim 7 and thus cannot destroy its novelty.

Second, the "exposing" in the claim is said to substantially cause removal of the exposed areas but in Trueba it is indicated that the photoresist is masked and developed to a desired pattern (FIG 1E) (see Column 2, lines 13 - 14). It is apparent that this language of Trueba, is intended to be a summary of the process of masking, exposing, and developing of photoresist as is known in the art. As such, in Trueba, it is not the exposing that results in substantially causing removal of exposed areas it is the developing which "causes" removal. In Trueba, the exposure merely provides the chemical change in the photoresist that allows selective removal by the developer. In the absence of "development", in Trueba, no removal will occur. As such it is believed that Trueba's teachings fail to meet the claimed requirement that the exposing of the

layer to patterned light substantially causes removal of the exposed areas of the layer. It is believed for at least this reason alone, claim 7 is novel in view of the teachings of Trueba.

Finally, as amended (by inserting the limitation of claim 9 into claim 7 and converting "ablation" to "ablating"), the claim indicates that the exposing causes ablating of the exposed areas. The Examiner correlates "ablation of exposed areas of the layer" to the teachings in Trueba found at col 2, lines 28 and in Fig. 1E. Applicant respectfully disagrees with this conclusion. As noted above, Fig. 1E and the corresponding text (Column 2, lines 13 and 14) do not relate to ablation in anyway. These teachings relate to the standard masking, exposure, and development of photoresist which has nothing to do with removal by an ablation process. Webster's Collegiate Dictionary indicates that "to ablate" is to remove by cutting, erosion, melting, evaporation, or vaporization. As such, the requirement of the claim that the exposing of the layer to patterned light cause ablation is not found in Trueba and thus, at least for this reason, Trueba can not destroy the novelty of claim 7.

In summary, it is believed that claim 7 is novel in view of the teaching of Trueba. As claim 8 inherits the limitations of its base claim, it is believed that Trueba can not make obvious claim 8 particularly in view of Trueba failing to teach anything about the exposing substantially causing removal by ablating. In view of the amendment and remarks above, the application is believed to be in condition for allowance and reconsideration and withdrawal of the rejection and passage to allowance is earnestly solicited.

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Respectfully submitted,



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